THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.19684 of 2005

Date:14.09.2005

Sana Educational Society and another

--------PETITIONERS

The Government of A.P., rep by its Principal Secretary,

Higher Education Department, Secretariat Buildings, Hyderabad and others

---------RESPONDENTS

ORDER:

The petitioner intended to establish a college of business management. Accordingly, it applied to the various authorities viz., All India Council of Technical Education (AICTE), Government of A.P., Jawaharlal Nehru Technological University and A.P.State Council for Higher Education. The petitioner was accorded approval by the AICTE on 29.09.2004 and the Government has also accorded permission on 10.05.2005. However, since the admissions for the academic year 2004-05 were closed by the time the approval was accorded and the permissions were granted, the petitioner was not allotted any students. In the meanwhile, it was accorded the minority status also.

So far as the current academic year is concerned, the petitioner had once again approached the AICTE for renewal of its approval. Such a renewal was granted on 16.08.2005. The Government is also said to have renewed its permission. The grievance of the petitioner is that the A.P.State Council for Higher Education is not allotting any candidates, on the ground that the approval accorded to the petitioner is belated.

Heard the learned counsel for the petitioner, the learned Standing Council for A.P.State Council for Higher Education and the learned Government Pleader for Higher Education.

It is a matter of record that the petitioner was initially accorded the approval on 29.09.2004 and thereafter on 16.08.2005. The purport of the various judgments rendered by the Supreme Court is that once the AICTE accords approval, the other agencies operating in the State have to act in support of the same. The same view was taken by this Court in W.P.No.16267 of 2002 and batch.

The State Council of Higher Education issued a notification, dated 22.08.2005 directing that it would allot candidates to only such of the colleges, in respect of which the approval was accorded on or before 26.08.2005. Going by this standard also, the petitioner deserves to be included in the list of approved colleges. The other condition as to affiliation needs to be fulfilled by the petitioner in due course.

For the foregoing reasons, the writ petition is allowed and it is directed that the allotment or admission of students to the petitioner-College shall, however, be subject to the grant of affiliation by the concerned university. There shall be no order as to costs.

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14.09.2005

Note:-

Issue Operative Potion by Wire at part's Costs.

(B/o)

Jsu